IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Bail Appl..No. 1716 of 2007()

O.R.NO.1/07 OF AZHUTHA FOREST RANGE

: PETITIONER

M.A.ANEES, S/O M.H.ALIYAR,
MANAKKAT HOUSE, NADAKKAL KARA, ERATTUPETTA,
KOTTAYAM DISTRICT.

BY ADV. SRI.A.MOHAMMED

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1716 OF 2007

Dated this the 26th day of March, 2007

O R D E R

Petitioner, who is the 5th accused in O.R.No.1/07 of Azhutha Forest Range for an offence punishable under section 27(i)(e), (iii) and (iv) of the Kerala Forest Act, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is also involved in the cutting and removal of a rosewood tree from the Thottapura Eucalyptus Plantation at Peerumedu on 22.1.07 and the subsequent removal of the same to a saw mill at Ayarkunnam village.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer namely, Forest Range Officer, Azhutha for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day before the

concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail. Such consideration of disposal shall preferably be on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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